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6 **UNITED STATES DISTRICT COURT**  
7 **EASTERN DISTRICT OF CALIFORNIA**  
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9 DAE HENDERSON, JR.,

Case No. 1:21-cv-00697-NONE-SKO

10 Plaintiff,

11 v.

12 JEFFREY Y. HAMILTON, et al.,

13 Defendants.

ORDER DENYING WITHOUT  
PREJUDICE APPLICATION TO  
PROCEED WITHOUT THE  
PREPAYMENT OF FEES AND  
REQUIRING PLAINTIFF TO FILE AN  
AMENDED APPLICATION WITHIN  
THIRTY DAYS

(Doc. 2)

14  
15 **30-DAY DEADLINE**  
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18 Plaintiff Dae Henderson, Jr., a prisoner proceeding pro se, filed a complaint on April 28,  
19 2021, along with a “Notice of Surety Bond and Request to Proceed with Accompanying Court  
20 Papers Without Prepayment of Costs.” (Docs. 1, 2.) In order for the Court to consider Plaintiff’s  
21 application to proceed without prepayment of fees, Plaintiff must provide the Court with a certified  
22 copy of his trust fund account statement (or institutional equivalent), including the supporting ledger  
23 sheets, for the six-month period immediately preceding the filing of this complaint, obtained from  
24 the appropriate official of each prison at which Plaintiff is or was confined. 28 U.S.C. § 1915(a)(2).  
25 After submission of the trust fund information, the Court will determine Plaintiff’s ability to pay the  
26 \$350.00 filing fee required by federal law in one payment. If the Court determines that Plaintiff  
27 does not have sufficient funds to pay the filing fee at one time, the Court will assess an initial partial  
28 filing fee. After payment of the initial filing fee, monthly payments of twenty percent of the deposits

1 made to Plaintiff's trust fund account during the preceding month will be forwarded to the Clerk of  
2 the Court each time the account balance exceeds \$10.00. Payments will continue until the filing fee  
3 is paid.

4 Because Plaintiff failed to provide a certified copy of his trust account statement showing  
5 transactions for the past six months, and to comply with the specific informational requirements for  
6 affidavits submitted pursuant to 28 U.S.C. §1915(a)(1), the Court is unable to determine if Plaintiff  
7 is entitled to proceed without prepayment of fees in this action.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. Plaintiff's application to proceed without the prepayment of fees is DENIED without  
10 prejudice;
- 11 2. Within thirty (30) days of the date of service of this order, Plaintiff shall file an  
12 application to proceed without the prepayment of fees that includes the information  
13 described above or provide the Court with the reasoning as to why Plaintiff cannot  
14 obtain such information. **Failure to comply with this order will result in the**  
15 **recommendation that this action be dismissed.**

16  
17 IT IS SO ORDERED.

18 Dated: May 3, 2021

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE